

STATE OF HAWAII
STATE PUBLIC CHARTER SCHOOL COMMISSION
(‘AHA KULA HO‘ĀMANA)

APPLICATIONS COMMITTEE MEETING

Minutes of the meeting of Thursday April 24, 2014

**Queen Liliuokalani Building
1390 Miller Street, Honolulu, Hawaii
Fourth Floor, Room 404**

ATTENDANCE

Mitch D’Olier (Chair)
Roger Takabayashi
Curtis Muraoka

ALSO PRESENT

Peter Hanohano, Ex-Officio
Catherine Payne, Ex-Officio
Tom Hutton, Executive Director
Alison Kunishige, Chief Operations Officer
Kenyon Tam, Applications and Operations Specialist

I. Call to Order

Committee Chair Mitch D’Olier called the meeting to order at 11:05 a.m. Committee Chair D’Olier welcomed attendees and shared appreciation of their interest in students and charter schools. Committee Chair D’Olier shared with attendees that the Committee would be observing the two minute limit for oral testimony, no yielding of time would be allowed in order to give everyone the opportunity to testify, and that staff would distribute any late written testimonies to Committee members after the meeting. Committee Chair D’Olier requested that Commissioners hold questions for staff, evaluation team members, and application team members until after all public testimony was provided.

II. Approval of February 27, 2014 Committee Meeting Minutes

Motion (Takabayashi/Muraoka) to approve the February 27, 2014 Applications Committee meeting minutes passed unanimously.

III. Discussion on Decision-Making Stage of the Application Cycle and Commissioner Questions Regarding Current Charter School Applications

Applications and Operations Specialist Kenyon Tam discussed the decision-making stage of the application cycle and questions that Commissioners had regarding current charter school

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applications, which Commissioners had provided to staff in advance of the Committee meeting. Tam reviewed the main points of the applicant process. Tam shared that the staff's submittals focused on a few major points and not every point of contention within the Evaluation Team's Recommendation Report or applicant response. Tam strongly recommended that Commissioners not consider new information in the applicant response because applicants were advised throughout the applications process that new information would not be considered and that consideration of new information at later stages in the applications process does not allow for a holistic evaluation by the Evaluation Team. The Committee agreed to discuss questions submitted by Commissioners when the agenda items for the relevant applicant were taken up.

Committee Chair D'Olier called for public testimony.

Sheila Buyukacar, provided testimony regarding the application cycle. Buyukacar shared that when submitting their application, they trusted they were striving for the same goal, to evaluate their capacity to perform. Buyukacar shared that just within the last 36 hours, she realized the applications process is about reviewing a document with the right words and at a level of detail deemed necessary by the evaluators. Buyukacar shared that their application could have been better. Buyukacar shared they had the research, evidence, supportive calculations, and documents to support what they were trying to do but new information is not allowed during the review process. Buyukacar shared that there is no collaboration and no interaction except through written documentation. Buyukacar asked why there was not any collaboration and provided examples of other institutions that allow collaboration. Buyukacar shared her belief that interaction and collaboration would allow true assessment of an applicant's ability to perform and for evaluators to have more substantiated evidence.

Executive Director Tom Hutton responded globally that the previous applications model (under the old law) was hands on and involved helping the applicant from beginning to end. Hutton shared that the new model is that the applicant and application must demonstrate capacity at the front end and the Authorizer will make a decision. Hutton discussed the capacity interview. Hutton shared that the application is a principal way the applicant team demonstrates its capacity.

Commissioners discussed the communication between the applicant team, staff and Evaluation Team. Commissioners discussed expectations of the applicant, application, and process.

Commissioner Curtis Muraoka provided a general comment regarding the application process. Commissioner Muraoka shared he belief that the application is "the game" and the evaluators are the "referees." Any "coaching" should occur during the development of the application. Commissioner Muraoka encouraged the applicants to continue working towards it, if they are not approved.

IV. Action on Charter School Application for Hawaii Arts Repertoire & Tech (HART)

Committee Chair D'Olier asked Commissioners with conflicts to recuse themselves. Commissioner Muraoka recused himself.

Hutton shared that for each application he would present a high level overview of the Evaluation Team's Recommendation Report, the applicant's response, and the Evaluation

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Team's rebuttal. Hutton shared that the staff submittal is prepared by Operations staff, who are not members of the Evaluation Team. The staff submittal is intended to highlight scale-tipping issues and concerns. Hutton shared that members of the Evaluation Team and applicant team were available for questions.

Hutton shared that the Hawaii Arts Repertoire & Tech ("HART") application proposed a charter school that would be located on the west side of the Island of Hawaii. The proposed school would specialize in the arts, career and technical education, and have a blended learning model. The proposed school would serve grades 6 thru 12, have a virtual component and serve 300 students at full capacity.

Hutton shared that the Evaluation Team recommended a denial of HART's application. Hutton stated that the Evaluation Team felt that the proposed school's academic plan did not explain how the arts would be delivered and there appeared to be a heavy reliance on volunteers. The Evaluation Team also had concerns with the adequacy of the technology budget, given the blended learning model, as well as the adequacy of budgeting for facilities and retrofitting.

Hutton shared that the application team responded to the Evaluation Team's concerns. The application team stated that one of the proposed facilities (the Plan B facility) would not require renovations, that the proposed school would use free local Wi-Fi, and that financial concerns can be addressed by the financial contingencies already provided in the application, like basing revenue on 90% of projected enrollment while basing expenses on 100% of projected enrollment. Hutton shared that the Evaluation Team's response to the rebuttal still maintained that concerns with how the arts will be delivered were unaddressed, there were major weaknesses with the facility budget, and that the financial contingency plan did not adequately quantify any savings.

Hutton shared that Operations staff found that the facility plan was unclear and had unrealistic expectations. Further, the applicant team made statements that suggested either a lack of capacity or preparedness. One of these statements was that the school did not need servers or other technology infrastructure to implement a blended learning model. Hutton shared that Operations staff felt that the application was not ready for approval at this time.

Tam provided answers to questions about the application that were posed by Commissioners before the Committee meeting. Tam clarified that students participating in the virtual program would be required to have face to face time one hour a week and are expected to be on campus everyday, but physical presence would not be required. Tam shared that the Plan B location is a space currently occupied by Hawaii Community College.

Commissioner Roger Takabayashi asked how many certified instructors are listed in the application. Academic Performance Manager Doug Muraoka confirmed that there were four teachers plus one described as "special" listed in the application for both middle and high school. Denise McAndrews, proposed school leader provided additional information.

Committee Chair D'Olier called for public testimony. No public testimony provided.

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Motion (Takabayashi/D'Olier) to recommend that the Commission deny Hawaii Arts Repertoire & Tech's (HART) 2013 charter school application was approved with two ayes (D'Olier, Takabayashi) and one abstention (Muraoka).

Commissioner Takabayashi noted that this is the recommendation of the Committee and the full Commission and will vote on the application.

V. Action on Charter School Application for iLEAD Kauai Charter School

Committee Chair D'Olier asked Commissioners with conflicts to recuse themselves. No Commissioners recused themselves.

Hutton shared that the iLEAD Kauai Charter School ("iLEAD Kauai") application proposed a charter school located in central or east Kauai. The proposed school would specialize in arts, college prep, cultural focus, and project-based learning. The curriculum is project-based with a focus on college and career readiness with an emphasis on entrepreneurship and 21st century technological literacy. The proposed school would serve grades kindergarten thru 8th grade and would serve 450 students at full capacity. This application was the only one in this cycle that proposed using a charter school management organization ("CMO") based in California. Hutton shared the Commission's Request for Applications contains a section intended for experienced operators to provide additional information.

Hutton shared that the Evaluation Team recommended that iLEAD Kauai's application be denied. The overarching theme of the Evaluation Team's assessment was that the applicant team lacked an understanding of Hawaii's education system. Hutton shared that the Evaluation Team felt that the application referenced California more than Hawaii. In addition, the Evaluation Team felt that the two California charter schools managed by the proposed CMO were not academically successful. Hutton shared that the applicant felt that its existing schools' poor academic scores were a function of the transition to common core assessment. Hutton shared that the applicant response included a statement that the proposed school leader's local ties with the community was enough to demonstrate that the application contained an understanding of Kauai.

Tam provided answers to questions about the application that were posed by Commissioners before the Committee meeting. Tam reported that the CMO and school leader would not be in Hawaii for majority of the start-up period. Tam shared it was also unclear who from the applicant group would be present for the start-up period.

Hutton shared that the applicant team was on the phone and available to answer any additional questions.

Committee Chair D'Olier called for public testimony.

Ingrid Sprindt, iLEAD Kauai, provided testimony in support of iLEAD Kauai. Sprindt shared interest of an alternative public school for her grandchildren and wished for the opportunity earlier. Sprindt read Paul Zina's written testimony on his behalf.

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Committee Chair D'Olier recognized written testimony by Hartwell Blake, former Kauai County attorney; Paul Zina, Hawaii Department of Education ("DOE") public school administrator; and Thomas Lambert, local Kauai Guardian Storage Facility business owner in support of iLEAD Kauai.

Commissioner Takabayashi noted that he echoed the concerns that were described by Hutton.

Moved (Takabayashi/Muraoka) to recommend that the Commission deny iLEAD Kauai Charter School 2013 charter school application passed unanimously.

VI. Action on Charter School Application for IMAG Academy

Committee Chair D'Olier asked Commissioners with conflicts to recuse themselves. No Commissioners recused themselves.

Hutton shared IMAG Academy proposed a school in the Waipahu complex that would serve grades kindergarten through 12th grade, which would grow to serve 930 students at full capacity. IMAG Academy identified its proposed school model as specializing in college prep, STEM, and V-Base. V-Base stands for Value Added Business, Arts, Science, and Engineering. IMAG Academy would plan to incorporate various frameworks including International Baccalaureate, Conscious Discipline and V-Base.

Hutton shared that the Evaluation Team recommended that the application for IMAG Academy be denied. Hutton shared the view of the Evaluation Team, which was that the application failed to describe the curriculum. The Evaluation Team had problems with the coherency of the academic plan. Hutton shared that the Evaluation Team also had concerns with facility and location planning, the lack of evidence of community support, the teacher/adult to student ratio, and a general lack of financial capacity within the applicant group.

Hutton shared the applicant response addressed a curriculum development plan. Hutton shared that the applicant team was open to flexibility and hoped to have a discussion on issues. The applicant response stated that it had strong ties in the community. The applicant response clarified the teacher to student ratio (a teacher assistant will be hired for every two regular full-time teachers). Hutton shared that the applicant responded to concerns expressed about the proposed school leader's lack of experience - the applicant response pointed out that the skills sets involved in starting a charter school are not necessarily the same as those of a traditional school administrator.

Hutton shared that overall Operations staff questioned the applicant team's capacity to get the job done.

Committee Chair D'Olier called for public testimony

Sheila Buyukacar, IMAG Academy, provided testimony in support of IMAG Academy. Buyukacar shared that the Recommendation Report illustrated over 25 misinterpreted and forgotten pieces of critical information that were already in the application, and were evident in the applicant response. Buyukacar shared that the request for clarification asked for 21 of 22 questions unrelated to the major concerns that were expressed in the Recommendation Report.

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Buyukacar shared that the process minimized any interaction between the Evaluation Team and applicant team and not address the capacity to perform. Buyukacar shared they spent hundreds of hours on irrelevant details or undoing misinterpretations based on misread or forgotten information. Buyukacar shared that the Commission may find themselves approving DOE cloned schools and not realizing it. Buyukacar shared that IMAG Academy would have life changing effects not only for the 930 students and families but for the Waipahu Community and State of Hawaii. Buyukacar shared that a decision to approve the school would support the Commission's mission and responsibility to authorize high quality charter schools.

Committee Chair D'Olier recognized written testimony by Sheila Buyukacar in support of IMAG Academy.

Moved (Takabayashi/Muraoka) to recommend that the Commission deny IMAG Academy 2013 charter school application passed unanimously.

Committee Chair D'Olier called for recess at 12:00 p.m. and reconvened at 12:23 p.m.

VII. Action on Charter School Application for Ka'u Learning Academy (KLA)

Committee Chair D'Olier asked Commissioners with conflicts to recuse themselves. No Commissioners recused themselves.

Hutton shared Ka'u Learning Academy ("KLA") proposed a charter school in the Kau District on the southern end of the Island of Hawaii serving grades kindergarten through 8th grade, and serving 300 students at full capacity. KLA identifies its school model as specializing in blended learning and virtual or virtual hybrid.

Hutton shared that the Evaluation Team recommended the application for KLA be approved. Hutton shared that the Evaluation Team report noted that the academic plan was feasible, the proposed school leader has a proven track record, and the proposed curriculum was aligned with common core standards, reflected academic rigor, notwithstanding serving a high needs student population, and that there were high expectations for all students. The academic plan also included intervention strategies for students that fall behind. Hutton shared that the proposed school director has experience in public education and that her instructional strategies have resulted in significant proficiency improvements for students in the area. Hutton shared that in terms of the organizational capacity, the advisory board has extensive education experience in charter schools and capacity in non-profit organizations. Hutton shared that the applicant has secured a facility for the next couple of years and has a good plan for teacher recruitment and retention, which is an issue in that area. Hutton shared that the Evaluation Team's initial concerns with the school opening with a deficit were allayed when the application team clarified that the financial plan did not specify revenue from fundraising, grants, donations, and profits from its café operations. Hutton shared that the Evaluation Team noted that during the capacity interview, the each member of the applicant team was well versed in their designated areas of expertise. Hutton shared that the organizational and academic plan were coherent and comprehensive. Hutton noted the Evaluation Team's concern regarding the 7th grade transition to a virtual program and recommends working with staff during the start-up period to address concerns. Hutton shared the financial plan is coherent and has adequate contingencies.

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Commissioner Roger Takabayashi asked for clarification on the financial plan regarding year zero having a projected budget with no students but has a projected deficit of approximately \$130,000. Evaluation Team Member Leila Shar shared that during the capacity interview, the applicant team clarified that salaries for the school director and business manager would be forgone in year zero to balance the budget.

Committee Chair D'Olier asked for clarification on which Castle Foundation had been approached regarding grants. Muraoka noted that during the capacity interview, both non-profit organizations came up for discussion and the Evaluation Team may have lumped the two organizations as being "invited" to solicit grants. Katherine Tydlacka clarified that they applied for a grant at the Harold K.L. Castle Foundation but were advised to reapply if their charter school application was approved.

Tam provided answers to questions about the application that were posed by Commissioners before the Committee meeting. Tam shared that several Commissioners asked, if approved, when the charter school would open. Tam confirmed that all applicants approved during the 2013 application cycle would be scheduled to open for the 2015-16 school year. There will be no expedited start-up process. Tam shared that the proposed school director taught 6th grade at Naalehu Elementary School until 2013 and is currently not teaching. A Commissioner asked how the public schools in the Kau area are doing academically. Tam shared that Naalehu Elementary School ranks among the bottom in the State with 39% proficiency in Reading and 45% in Math under the Strive HI Performance System. A Commissioner asked how the virtual component will work, which grades and how many will use virtual. Tam shared that KLA will offer the virtual component to grades 3 to 6 and that the program will be capped at 30 students total in year one. Tam shared that Operations staff had concerns and questions regarding how students will transition to virtual from a brick and mortar school. Tam shared that during the first five years, the proposed school is not planning to have a 7th grade class. Tam also shared that the facility, once a golf clubhouse, is located in Discovery Harbor.

Committee Chair D'Olier asked about the delivery of special education services. Tydlacka shared they have talked to several special education teachers and have someone on the mainland interested in joining the proposed school. Tydlacka shared that they will have interviews but already have some teachers in mind.

Commissioner Muraoka asked for further information on the Fournier Center. Applicant member Joe Iacuzzo shared that the Fournier Center is a non-profit that provides a variety of educational services. They focus on primarily empowerment of families and children. The Fournier Center has fundraised for abused children and provides educational outreach, but within the last five years the focus has changed to direct educational services. The strongest area is in the non-profit fundraising and development and implementation of fundraising strategies. Iacuzzo shared that the foundation has offices in Illinois and that it will be incorporated locally. Iacuzzo shared that Mark Fournier is the founder of the Fournier Center and has been developing programs for 30 years.

Commissioner Muraoka asked if the café income will go towards the school. Iacuzzo stated that 100% of the net revenue goes to the school. Iacuzzo shared that the owner of the building has been very generous and that they hope to extend the use of the café facility for further. Iacuzzo

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shared that they have long-term plans to have a permanent campus on donated lands and that at that time they will be able to use the café facility to provide lunches for the children. Iacuzzo shared they have been encouraged to use more land to develop agriculture programs and tie it to the curriculum.

Motion (Takabayashi/Muraoka) to recommend that the Commission approve Ka'u Learning Academy (KLA) 2013 charter school application, provided that the applicant works with staff during the start-up period to address the concerns described in staff's submittal dated April 24, 2014 passed unanimously.

VIII. Action on Charter School Application for Montessori of O'ahu Public Charter School

Committee Chair D'Olier asked Commissioners with conflicts to recuse themselves. No Commissioners recused themselves.

Hutton shared Montessori of O'ahu Public Charter School ("Mo'O") proposed a Montessori school serving grades kindergarten through 6th grade. The proposed charter school is associated with a non-profit that will offer a private preschool program in conjunction with the proposed charter school. Hutton shared that the Montessori approach emphasizes starting in a child's early years and consists of multi-grade and multi-age classrooms.

Hutton shared that the Evaluation Team recommended the application for Mo'O be denied. Hutton shared there is potential for the proposed charter school but significant work must be done to reconcile the proposal to a public education setting. Hutton shared that the Evaluation Team had concerns with the absence of alignment of the curriculum to common core standards. In addition, the application included an enrollment policy with an enrollment preference for children with prior Montessori experience. Hutton shared that there are concerns with modifying the curriculum for at-risk, special needs and English Language Learner students. Hutton shared that the Evaluation Team shared concerns regarding the overlap between the non-profit and proposed school's governing board. Hutton shared that the Evaluation Team's concerns with the organizational plan, which included the omission of statutory language that prohibits admission based on academic ability from the nondiscrimination policy within the governing boards bylaws and the mandatory Montessori certification for Mo'O teachers. Hutton shared the Evaluation Team's concerns with the financial plan, which included the lack of clear delineation of budgets for the public charter school and private preschool.

Hutton shared the applicant response, which stated that Mo'O would seek an advisory opinion from the State Ethics Commission on the contractual relationship between the nonprofit and proposed charter school. The applicant response also acknowledged the omission of the specific statutory language from the board's bylaws and policies and notes that the board will amend its bylaws. Hutton shared that the applicant responded in terms of the financial relationship of the private preschool and charter school, the private preschool would be subsidizing to the public charter school. Hutton shared that the Evaluation Team was concerned about the general absence of public school experience. Hutton shared that the applicant response stated that there were two applicant team members experience in public education. Hutton shared that the Evaluation Team was concerned that there was a large founding group consisting of board members and working group members, which look like the present private Montessori parent group and that there was an enrollment preference would give preference to

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children of board members and students with Montessori experience raised concerns. Hutton shared that the Evaluation Team's concerns with serving at-risk, special needs and English Language Learner students was not addressed, nor was translation of a private Montessori model to a public education setting.

Hutton shared the Evaluation Team's concern in terms of the operations; the preschool students would be a part of the multi-grade classrooms which would share resources and a classroom with public school students. Hutton shared this set-up it raised questions about how it would work and that there were a multitude of legal and policy considerations raised. Hutton shared that Mo'O is proposing a private school which will transition into a charter school the following year if approved. Hutton shared that the application has a lot of potential but the applicant team needs to grapple with some fundamental issues to produce a stronger application and stronger charter school.

Committee Chair D'Olier called for public testimony.

Minnie Wales, proposed Mo'O governing board member, provided testimony in support of Mo'O. Wales shared that Montessori education started as a public service. Maria Montessori was asked in 1906 to establish a childcare for the children of working parents in the San Lorenzo district. Montessori started working with children helping to develop learning tools to help children with special needs. Montessori developed manipulative materials to help children with mental and physical disabilities to successfully learn the subjects taught to other children in other schools. As an exercise, Montessori offered exams to students that were given to in the mainstream schools. Montessori students with special needs tested higher than most in the testing pool. Montessori looked for opportunities to use her materials in mainstream schools. The Montessori method was established through careful observation in all stages of their development and in an authentic school children are offered to work on academic and social development as one. Wales asked Commissioners to work with Mo'O to change the landscape of public education on Oahu.

Carla Pilato, proposed Mo'O governing board member, provided testimony in support of Mo'O. Pilato shared that the admission policy giving preference to students with Montessori experience is based on the Montessori pedagogy. Pilato shared that students who are used to a traditional classroom with block scheduling may struggle to adapt to the independent self-directed learning classroom. An example is in the self-instructed classroom where one child is working on math and another child works on science in the same room. Pilato shared children with no Montessori experience will need additional time and support to use the tools to be successful. Pilato shared that new students will require focused attention and need caring guidance from experienced classmates to quickly transition to the Montessori structure. Pilato shared that giving preference to Montessori experienced students will build a strong foundation and maintain an authentic Montessori education for all students in the classes. Pilato shared that Mo'O recognizes the initial year or two will draw families with students with some Montessori experience but that does not mean they are wealthy families. Pilato shared they know many families who had to withdraw their children from Montessori schools due to financial limitations. A public Montessori school will eliminate those barriers. Year to year demographics will broaden as the message spreads that a public Montessori school is available to everyone.

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Michael Lawrence Gallagher, proposed Mo'O governing board member, provided testimony in support of Mo'O. Gallagher shared that throughout their application Mo'O had provided details of the preschool program. Gallagher shared that this type of unique or innovative program does not fit neatly in a standard application. For example, the level of detail the financial team requested did not fit within the distributed financial workbook, and the applicant team was not given an opportunity to submit additional attachments that would help. Gallagher shared the distinct benefits to include 3 to 4 year olds to acclimate to the Montessori way. The initial admission lottery would occur at age 3 for admission at age 5. If a student is admitted, but cannot afford the preschool, Mo'O is committed to fundraising and assisting in private programs to help. Gallagher shared they want to implement a governance structure to ensure public funds are spent appropriately and that effectively manages potential risk. Gallagher hopes the complexity for providing an intricate charter school will be expanded with new laws and amendments considered in Hawaii.

Commissioner Muraoka asked for clarification on the special education concern raised by the Evaluation Team. Academic Performance Specialist Kirsten Rogers shared that the concerns were how the program would adapt to special needs students. Rogers shared that the Evaluation Team had asked for evidence of Montessori success and with the exception of one example from 2004, the applicant team was not able to provide evidence. Rogers noted that the evaluation and critique focused on the design of the proposed plan, not the Montessori method. The public Montessori model looks different in different areas.

Commissioner Muraoka asked the applicant team how Mo'O would handle a student with special needs when tying a preference to children with Montessori background. Commissioner Muraoka also asked them to speak generally on how special needs would be addressed in a Montessori setting. Pilato shared her excitement in what she sees in the classroom. Pilato shared each student receives individualized instruction based on where they are. The child is looked as an individual and the teacher are the observers that track the progress of each child to assess the interest, strength and weaknesses. Pilato shared the Montessori method has embedded fine motor skills, needs, sensory, the ability to practice and review. Children are not pushed to a grade if they are not ready and there are many approaches available in the scope of materials in the classroom.

Committee Chair D'Olier shared with the applicant team his intrigue for a public Montessori school but that he was troubled with the admission preference for existing volunteers and board members. Committee Chair D'Olier shared it seems as if they had children going to a private school and instead of attending a private school they decided that they could use public dollars for a private school. Committee Chair D'Olier shared concern about the preference and context mentioned earlier regarding students with special needs or English Language Learners that deserves equal access. Committee Chair D'Olier asked the applicant team if they were committed to those preferences. Wales responded that the process for admission preference was developed by looking at other Montessori and charter schools and the guidelines created by the Association Montessori Internationale. Wales shared that the parents who are on the Governing Board repeatedly shared they would be willing to omit the preference, but Wales believed that in order to create an authentic Montessori program you need experience. Wales shared that the Recommendation Report questioned how Mo'O will bring children without Montessori experience in. Wales shared that is the way they do it, the children with Montessori

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experience bring those without experience in and help them to learn how to operate in a very different system.

Committee Chair D'Olier asked if other authorizers or public bodies in other States allow these admission preferences. Gallagher stated yes, based on their research. Gallagher shared for the English Language Learners and special needs question, if discussing evidence anecdotally, parents of special needs students seek out Montessori. The model is inclusive and it tends to have success with special needs students. Gallagher shared personally, his family has dyslexia, and could not think of a better place. Gallagher shared the preference for admitting students of founding members is less significant than admitting students with Montessori experience.

Committee Chair D'Olier asked the applicant team if Mo'O would be willing to limit the percentage of students with prior Montessori experience. Gallagher shared that the guidance from AML is a 4 to 1 ratio. Gallagher shared the purpose is so that the teacher does not revert to a traditional model of instruction to manage the classroom. Organizational Performance Manager Stephanie Klupinski shared that following the capacity interview, when the enrollment preference was mentioned, team researched public Montessori schools. Klupinski did not find any enrollment preferences. Klupinski also noted that the Applicant Team mentioned applying for a Federal CSP implementation grant and according to the guidelines, the proposed charter school would be disqualified given the preferential enrollment that has an attached private school. Klupinski noted that the enrollment policies researched did not indicate any Montessori preferences. Gallagher shared that in some States, they allow provisions and some are not granted; Hawaii allows exceptions at the discretion of the Commission. Gallagher noted that Mo'O is trying to be as authentic to the Montessori model as possible. Klupinski shared there is a model on the mainland where the private preschool program that does not charge a fee.

Commissioner Takabayashi asked with the 53 available seats, how many students would get a spot based on the Montessori preference alone. Gallagher shared if there needs to be a cap to make it work, there could be, but Mo'O wants to ensure it is a high quality program. Wales shared the last thing Mo'O would like is to be approved with changes that are not successful because they did not stay true to the Montessori Method. Committee Chair D'Olier asked staff to provide the law regarding Commission's discretion to allow enrollment preferences.

Committee Chair D'Olier asked for clarification on comingling non-profit and private school, and public charter school funds. Gallagher shared Mo'O is being transparent with their model and they plan on charging their preschool students at a nominal fee. Committee Chair D'Olier inquired about who pays teacher salary when you have a mixed class of students from a private preschool and public charter school. Klupinski shared that there are ethical concerns regarding that model. Gallagher shared they are willing to go to the State Ethics Commission. Gallagher shared the ideal would be for state funds to cover ages three and above.

Commissioner Muraoka confirmed with the applicant team that the understanding is they are not willing to compromise on their enrollment policy. Pilato shared that children with Montessori experience teach other children as part of the learning experience. Pilato shared the teacher is there to guide and the children are the integral part and a huge population of that experience. Gallagher shared the goal overtime is to build this program, so while initially the preference exists, it will become less significant over time. Committee Chair D'Olier shared it

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sounds like there is no preference for volunteers and governing board members but the preference for Montessori students remain. Wales stated yes, for her.

Committee Chair D'Olier asked if Mo'O will follow the State Ethics Commission advice on the financial model.

Committee Chair D'Olier asked Hutton's opinion on the preference for Montessori students. Hutton shared for the enrollment preference for Montessori students is problematic. Commissioners discussed the previous approved request for an enrollment preference by an existing charter school. The approved request was for additional chances in the lottery system. Hutton shared the example of private catholic schools becoming public schools and how you make that transition. Hutton explained federal grants have specific verbiage on pre-existing entities and will not consider funding schools with certain preferences. Commissioners discussed the previous approved charter school request for additional opportunities for current students and how that may work for the proposed charter school.

Committee Chair D'Olier shared his struggle with this application and stated that he would make a recommendation to the Commission, but that he would like a discussion with the full Commission.

Moved (Takabayashi/Muraoka) to recommend that the Commission deny Montessori of O'ahu Public Charter School 2013 charter school application passed unanimously.

IX. Action on Charter School Application for North Shore Middle School

Committee Chair D'Olier asked Commissioners with conflicts to recuse themselves. No Commissioners recused themselves.

Hutton shared that North Shore Middle School ("NSMS") proposed a school located on the North Shore serving grades 7 and 8 with an arts, blended learning, career, college, and technical prep curriculum. NSMS would have a morning workshop and after school program. Hutton shared that this is the only repeat application from the previous cycle. Hutton shared that the idea was to start fresh since there was a new application and new application process this year; the Evaluation Team and staff intentionally refrained from reviewing the previous application or recommendation report.

Hutton shared that the Evaluation Team recommended that the application for NSMS be denied. The Evaluation Team felt that the application attempted to do too many things without having a clear plan for successful implementation. In response to the academic plan, the Evaluation Team shared concerns with an inadequate understanding of the challenges of effective implementation of a blended learning model and that the interface and alignment of the online curriculum and project-based learning was unclear. Hutton shared that in response to the organizational plan, the Evaluation Team was concerned with the amount of responsibility placed on teachers without clearly setting aside needed preparation time, a lack of understanding of the collective bargaining implications of the additional responsibilities for teachers, and the plan to hire a person specializing in both reading and math who also spends time facilitating the morning workshops. Hutton shared the Evaluation Team also had concerns with the financial plan - the budget lacked information in key areas, such as a viable financial

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contingency. Hutton shared that the Evaluation Team raised concerns about the capacity of the application team in all three areas (academic, organizational, and financial).

Hutton shared that the applicant responded saying that the proposed blended learning program is modeled on similar programs across the nation; the application originally included “complete descriptions of every proposed class” but that the applicant omitted this information because of the page limits and because the application criteria only requiring an “overview” of the curriculum; the reading and math specialist could do the intervention for students by computer in a support role rather than direct instruction; that they do not rely heavily on volunteers; and that professional development time is included in the start-up plan and school calendar.

Hutton shared highlights of the Evaluation Team’s response to the applicant response stated that the academic plan did not demonstrate a cohesive plan to connect the online and project based curriculum. Although the application did not require detailed curriculum and standards, the alternative was to provide a comprehensive overview and the Evaluation Team did not feel the applicant provided a comprehensive overview because a number of courses and a large amount of instruction time were not described. Hutton shared that in terms of the organizational plan, the Evaluation Team still felt the school relied on a small staff and a large number of volunteers. Hutton shared that the academic plan is not clearly described, for example, the Friday service learning program, world language courses and music classes are not described in great detail. Hutton shared the proposed instructional time of 42% of instructional minutes for these programs. Hutton shared a need for clear understanding of the proposed standards and rigor in order to approve an application. Hutton shared that the Evaluation Team stated that the online and project based learning components, which are critical to the proposal, need to be integrated. The application appeared to say the teachers would be working on developing the integration, which raises a concern with staffing.

Hutton shared that the staffing model was not feasible due to the heavy load teachers are given. Hutton shared that Operations staff understands that charter school teachers wear multiple hats, but the application indicated that teachers would be buried in the burden. Hutton shared that Operations staff felt that a blended learning program should have more IT support. Hutton stated that Operations staff shared the same concern about the capacity of the applications team as evidenced by the application.

Hutton shared that there is community support. Hutton shared that the community would like options.

Committee Chair D’Olier asked Hutton about his view of the financial capacity. Hutton shared that there are concerns with the contingency plan and budget model.

Committee Chair D’Olier recessed at 1:44 p.m. and reconvened at 1:51 p.m.

Dali Pyzel, proposed school leader for NSMS, provided testimony in support of NSMS. Pyzel thanked the Commissioners for the time to address the concerns. Pyzel shared that they took the evaluation from last year’s application cycle and incorporated it into the second application. Pyzel shared that they teamed up with the largest charter school service provider in the nation and a local consulting firm to improve the application, which was nearly approved last year. Pyzel shared that they have asked experts about the application on the federal, national, and

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local level, who noted it to be a strong and complete application, yet the Recommendation Report stated they did not meet standard in any of the areas. Pyzel shared that the evaluation report was filled with incorrect and misleading statements and contained numerous subjective determinations. Pyzel shared that the Recommendation Report included unfounded claims, like the leadership team lacks capacity. Pyzel requested the criteria used to determine capacity and how the leadership team of Ka'u Learning Academy met those undisclosed criteria. Pyzel shared that 44% of charter schools in 2012 were ran by EMO's. Pyzel asked if a bias exists promoting well connected schools verses start-ups. Pyzel shared that last year's application required approximately 60 pages and this year's application was 351 pages, but that this was still not detailed enough for the evaluation team. Pyzel shared that the federal start-up grant reviewer and local expert said the plan was strong. Pyzel shared that none of the Evaluation Team's concerns are large enough to prevent NSMS's success and asked for the Commissioners' support in recommending approval to the Commission.

Committee Chair D'Olier requested further information on the status of the Federal start-up grant. Pyzel shared they received excellent scores but since they did not have a charter, they lost 16 points out of a possible 109. Pyzel shared the requirements of the Federal start-up grant. Committee Chair D'Olier asked for information on the national expert Pyzel referenced in testimony. Pyzel shared it was a consultant for a charter management organization who provides service and supports 135 schools and noted their application was strong.

Tracy Harris, community member, provided testimony in support of NSMS. Harris lives in Sunset Beach and has four children. Harris addressed the incorrect statements of the Recommendation Report, which includes the school relies on a small staff. Harris shared they have 17 staff members for 200 students, which is a 12:1 student to staff ratio. Harris shared that the Recommendation Report is misleading by saying that the curriculum structure was not provided, when the evaluation criteria does not require it. Harris shared that Pyzel stated, there were over 300 pages in the application and if it was something that had to be provided, the application team would have. The Recommendation Report stated that four full-time teachers would be on staff for the first two years but it did not include office, contract services, and online IT specialist. Lastly, the financial plan stated key areas of concern, however, NSMS used the template provided by the Commission staff and answered all questions within the financial plan.

Jason Harris, community member, provided testimony in support of NSMS. Harris shared that NSMS has a clear implementation plan for success in a blended model. Harris shared they have had in-depth conversations with the leader of Carpe Diem regarding staffing, professional development, challenges and successes. The Evaluation Team stated that NSMS suggested that there was no onsite technical support. However, NSMS budgeted for IT support that would be on campus two days a week and proposes a work around budget of 10% overages for all electrical devises and loaners if the IT technician is not available. The Recommendation Report stated that plans to deploy technology is not supported by research yet NSMS's application includes 81 references to research and 60 pages of narrative in the 300+ page application.

Monique Mironesco, board member, provided testimony in support of NSMS. Mironesco is a faculty member at the University of Hawaii, West Oahu ("UH West Oahu") and teaches Political Science. Mironesco shared that the Evaluation Team stated that the applicant team does not understand or address challenges with running a blended learning model. NSMS has discussed

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challenges with the leadership team of Carpe Diem which is a nationally recognized blended school. NSMS has consulted with a charter management company and other experts in the field. Mironesco shared that the morning workshop will be used for students who have not met grade level standards in reading and math to work on computer based curriculum recognized on the Federal What Works Clearing House database to help reach proficiency. Mironesco shared there are many districts trying to create programs which move away from traditional seat time credits towards basing seat time on achievement. NSMS does not define the success or failure but willing to create programs for students to achieve. Mironesco shared the Recommendation Report stated the leadership team did not demonstrate the skills and experience needed, however, the team has two Ph.Ds in Business Administration and Political Science, two board members are associate professors at UH West Oahu, and Katy Landgrath has online teaching experience, experience with developing online curriculum and teaching hybrid and in online classrooms. Mironesco shared that the leadership team has an IT Specialist with over 20 years' experience developing and managing technology upgrades in large distributive environments and largest charter school provider in the country. Mironesco asked what specific criteria demonstrates leadership skills and experience.

Jesse Malcom Hodel, non-profit board member, provided testimony in support of NSMS. Hodel shared that the Evaluation Team shared concerns with the instructional leadership capabilities of the proposed school leader. Hodel shared Pyzel was a teacher, librarian, program director, worked with WASC, and has extensive business and management experience. Hodel asked what criteria was used when evaluating Pyzel's abilities and what criteria are needed. Hodel shared that the Recommendation Report raised concerns with the NSMS's math and reading. Hodel shared that the programs outlined in the Federal What Works Clearing House indicate that different computer programs that positively affect achievement and uses individual delivery method that allows teachers to take an evaluator and support role rather than be the main means of instruction. Evaluators should be aware of the best practices outlined in the Federal What Works Clearing House. Hodel shared the overreaching point - what criteria are you using, because without knowing we cannot strive to meet that criterion.

Cathy Shanley, community member, fundraiser, and community partner provided testimony in support of NSMS. Shanley shared that all the information has been provided and all concerns have been met in their application. It has been a rigorous process and asked the Commissioners to sincerely reach deep down inside and approve the application. Shanley shared their determination.

James O'Shea, board member, provided testimony in support of NSMS. O'Shea shared that one part of his role is to develop production support agreements and service agreements. O'Shea clarified that most technology NSMS will be deploying are devices. One example is the internet, which is like a utility and the school will be paying another company for services. O'Shea shared that teachers will not have to fix IT issue, it will be the company they are out-sourcing to and they will have technical support to resolve problems.

Committee Chair D'Olier asked for clarification on what types of services were being referenced. O'Shea shared that there are services, like laying cable; there is Wi-Fi service and your contract company resets them. The burden will not be on the staff.

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Melissa Ginella, board member, provided testimony in support of NSMS. Ginella shared the concern is that the Committee is not in tuned with the North Shore community and local scene. Ginella shared that the North Shore community has a large volunteer system. Ginella has managed events where in five days they had over 200 hours of volunteers. Ginella shared that they have qualified administrators, fundraisers, tech, and other needed professions within the community. Ginella shared that they know their needs and see firsthand how NSMS would give their middle students a chance to strive and succeed. Ginella provided academic statistics of Wailua and Kahuku schools. Ginella shared that the community would benefit from NSMS. Ginella shared that she is a public school graduate and her children are public school students. Ginella shared combining intermediate with high school students will not allow younger students to ask for help.

Committee Chair D'Olier recognized written testimony by Charlie and Tracy Walker in support of NSMS.

Commissioner Muraoka asked for the review team to provide more information on the qualification and capacity issue brought up during testimony. Commissioner Muraoka shared that there is a common theme that the Evaluation Team got it wrong, and requested for further information. Rogers shared that the Evaluation Team gathered capacity through the materials and interview conducted. Rogers shared that the first signal that there was a lack of capacity was the absence of an actual plan. Rogers shared that they used other steps within the application process to test for capacity. For example, when interviewing Pyzel on instructional leadership, a question was provide further examples that point to instructional leadership. The response received was regarding Pyzel's business experience and pilot certification. Rogers thought Pyzel misunderstood the question and asked specifically for instructional leadership examples. The response received is leadership is transferable and skills are however, was unable to satisfactorily point to her own instructional leadership. Rogers shared that one example of how the Evaluation Team came to the conclusion.

Commissioner Muraoka asked for further information on the IT capacity issue. Stephanie Shipton shared that one of her job duties is overseeing a one to one technology pilot program and the implementation strategy. The proposed structure is not a one to one technology strategy, but they are relevant and the Evaluation Team had concerns was because it is a similar model. Shipton shared that technology is overwhelming for teachers and having a .25 quarter time IT person is problematic. Shipton shared that the Evaluation Team posed a scenario to the group regarding a technical problem during classroom instruction. The scenario was that, if there were five students, three were having technical problems with a machine, and how would the teacher respond to ensure instruction would continue. The applicant's response was that teachers, in addition to their academic and professional development, would be trained as a troubleshooter for any network or software problems. Shipton shared that is not an effective instructional approach, especially when you have a technologically heavy academic model. Rogers shared that NSMS proposed innovative items such as technology projects where students will make music, produce movies, and have online portfolios, all of which require technology and software. Rogers shared that during the interview, the Evaluation Team asked for clarification of examples regarding the device support.

Committee Chair D'Olier asked for follow-up on the technology support issues and professional development plan for teachers to implement technology in the classroom. Rogers shared that

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there is a lot of expectation on the teachers. Rogers stated there are spare devices available when there is a problem, but the issue is not having spares available, it's the expectation of troubleshooting, for example if iMovie goes down which is a software not a device issue.

Commissioner Muraoka asked for clarification on the previous comment regarding examples of device support. Rogers shared the Evaluation Team asked how the applicant was going to use iMovie when the school is budgeting to purchase Google Chrome Books as the school's device. When asked, the Evaluation Team received new information instead of clarification. Financial Performance Specialist Jeff Poentis shared that the same thing occurred when questioned about financial information.

Committee Chair D'Olier asked for clarification on Dali Pyzel's experience with the online school. Rogers shared that Elite Element Academy is an online prep academy. Committee Chair D'Olier requested further information on the question regarding instructional leadership examples. Klupinski shared that the Evaluation Team would like to see experience of an instructional leader in leading a small staff. Committee Chair D'Olier asked for clarification on staff members. Klupinski shared on page 307 of the Request for Application there is a total of 8.6 FTE for SY2015-16. In SY 2019-2020, as the student population increases, the FTE goes up to 16.18. The school would have 200 students at full capacity.

Commissioner Takabayashi asked what model NSMS is using for certified staff and teacher salaries. Commissioner Takabayashi shared concern regarding the staff time and salary based on the class schedule. Commissioner Takabayashi noted there is a collective bargaining issue. Commissioner Takabayashi noticed a 7 ½ day but noticed no prep time in addition, which will make it 8 hours and 10 minutes. Pyzel shared that the morning workshop is based on supporting 20% of the student population. The Math and Reading Specialist would run the morning class and teachers would have their prep period during morning workshop. Pyzel shared the Math and Reading specialist would be a highly qualified teacher. The school would have a staggered schedule, so the main teachers would start at a later time. Pyzel shared that they have \$50,000 as base budget and increased salary. Commissioner Takabayashi stated that \$50,000 is below the average teacher salary; average is closer to \$62,000. Pyzel shared that the budget reflects the increase. Commissioner Takabayashi shared that the schedule does not meet the criteria of the current collective bargaining agreement. Pyzel shared in the application discusses a supplemental agreement and bell schedule. Commissioner Takabayashi shared his concern that it is not clear teachers would have necessary prep time.

Pyzel shared that the comment regarding concern for staff ratio excluded the contract positions. Pyzel also shared that in discussion of the detailed line items for example Mac Books, the budget template does not allow room for itemized line by line and if it is a requirement then it should be part of the application.

Commissioner Muraoka requested more information on the volunteer coordinator position. Pyzel shared it is a paid position. Pyzel shared their goal is to have 80% of volunteers based on the number of student population. Commissioner Muraoka asked if volunteers will receive background checks. Pyzel shared they will use the system Kokua Foundation uses. Commissioner Muraoka asked about liability insurance for volunteers. Pyzel shared that it is in the budget.

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Committee Chair D'Olier commended the applicant team for applying for the federal grant. Committee Chair D'Olier asked whether they had a plan if they do not receive the federal grant. Pyzel shared that they will fundraise. Pyzel shared they included a part-time or contract grant writer in the budget. Pyzel clarified that in response to the instructional leadership question, Pyzel interpreted it as question asking about qualifications beyond her resume.

Klupinski clarified that response to the staffing model, in page 307 of the application, it does include positions for music instructor and world language instructor which is 8.6 FTE for the first two years. Klupinski shared in regards to the Federal grant, it is a competitive grant that approximately 20% receive each year and there are 11 areas evaluated. Klupinski requested a copy of the application and in review of the evaluation there were three areas the school did well however, other areas scored low. Poentis clarified that the comment regarding the financials, specifically the Mac books, was due to clarification on the \$72,000 and asked for further details which did not include Mac or Smart Books were included.

Committee Chair D'Olier asked for the details on the Federal grant submission.

Moved (Takabayashi/Muraoka) to recommend that the Commission deny North Shore Middle School 2013 charter school application passed unanimously.

X. Future Committee Meetings and Agenda Items

The next General Business meeting is May 8, 2014 at 10:30 a.m.

XI. Adjournment

Committee Chair D'Olier adjourned the meeting at 2:42 p.m.